



Docket No. 105916.167US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Robert K. O'LEARY et al. :
Serial No. 10/732,799 : Group Art Unit: 1654
Filed: December 11, 2003 : Examiner: To be assigned
For: APPARATUS FOR DEMINERALIZING OSTEOINDUCTIVE BONE

**PROOF OF PERTINENT FACTS IN SUPPORT OF
PETITION UNDER 37 CFR §1.47(a)**

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

I hereby submit this proof of pertinent facts pursuant to 37 CFR §1.47(a) that one inventor of the referenced application, Debra Moore-Smith, cannot be found or reached after diligent effort to sign a declaration of inventorship. Upon information and belief, the following facts of Ms. Moore-Smith's inability to be found or reached are as follows:

1. On June 18, 2004, a letter was sent via certified mail to Debra Moore-Smith from Stephanie R. Geis, paralegal for Wilmer Cutler Pickering Hale and Dorr, enclosing Declaration/Power of Attorney and Assignment documents for Ms. Moore-Smith's immediate execution and return to our offices. A copy of the letter is provided as Exhibit A.
2. The certified letter to Ms. Moore-Smith was returned as undeliverable to our offices. A copy of the returned mail envelope is provided as Exhibit B.

Based upon the above facts, Debra Moore-Smith cannot be found or reached to sign a declaration of inventorship despite our diligent effort to locate her. Acceptance of the present

application under 37 C.F.R. Section 1.47(a) and 37 C.F.R. Sections 1.63-1.64 is respectfully requested.

The last known address of Ms. Moore-Smith is:

Debra Moore-Smith
4517 Miardfield Arc
Chesapeake, VA 23321

I hereby declare that the above facts are to the best knowledge of the undersigned.

Respectfully submitted,

Wilmer Cutler Pickering Hale and Dorr LLP



Belinda M. Lew, Ph.D.
Registration No. 53,212

The Willard Office Building
1455 Pennsylvania Avenue, NW
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202 942 8452

Date: AUGUST 17, 2004

WILMER CUTLER PICKERING
HALE AND DORR



June 18, 2004

VIA CERTIFIED MAIL

Debra Moore-Smith
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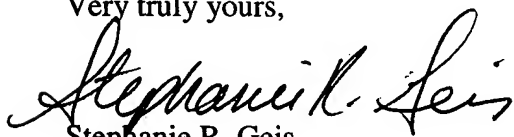
Re: U.S. Patent Application No. 10/732,799
For: APPARATUS FOR DEMINERALIZING OSTEOINDUCTIVE BONE
Our Reference: 105916.167US1

Dear Ms. Moore-Smith:

Enclosed please find Declaration/Power of Attorney and Assignment documents for the above-referenced application. Please execute and return them to our office as soon as possible.

If you have any questions, please feel free to contact us.

Very truly yours,


Stephanie R. Geis
Paralegal

202-942-8527
stephanie.geis@wilmerhale.com

Enclosures

cc: Lloyd Wolfinbarger, Jr., Ph.D. (w/o enclosures)
Henry N. Wixon, Esq. (w/o enclosures)
Maria L. Maebius, Esq. (w/o enclosures)